Infill Development

Handout #46 Revised 6/25/04



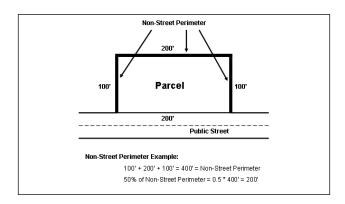
What is infill development?

Infill development refers to the development of parcels within urban growth areas that have been passed by when the area was originally developed. The county's infill ordinance applies to parcels in the R1-5, R1-6 and R1-7.5 zoning districts. The ordinance provides incentives to develop these parcels and increases public notice to help ensure neighborhood compatibility.

How do I know if a lot is eligible for infill development?

There are 5 criteria that must be met before any development plan can be reviewed under the infill standards which include:

- The parcel/lots were created by a legal land division prior to October 1, 2002;
- The parcel is located within the R1-5, R1-6 or R1-7.5 zones;
- The parcel is 2.5 acres in size or smaller;*
- The parcel can and will be served by urban services (i.e., water and sewer services); and,
- Urban development abuts the parcel/subject site on at lease 50% of its non-public street perimeter (i.e., private street frontages are <u>not</u> considered part of the non-street perimeter).



*Note: In existing subdivisions recorded after 12/31/61, if contiguous lots are developed with existing dwellings, the gross size of the parent parcel must be at least 20,000 square feet in size.

What are the incentives to encourage infill development?

The infill incentives are divided into Tier 1 and Tier 2 options. Tier 2 offers greater incentives than Tier 1. However, under Tier 2, a neighborhood/developer meeting is required and in some cases a larger rear yard setback are required.

Tier 1 and 2 incentives and requirements:

- 1. Reduced roadway widths:
 - Under "Infill A," public or private roadways shall be 20 feet wide within a minimum 25-foot easement used to serve up to eight (8) lots. Parking is not allowed.

- Under "Infill B," private roadway shall be 12 foot-wide within a minimum 20-foot private easement for a maximum of 150 feet in length, used to serve a maximum four 4 lots. Parking is not allowed.
- Road modifications may be considered (without fees) for the following:
 - Partial or full frontage improvements, if consistent with existing or anticipated neighborhood roadways (i.e., non-arterial and non-collector roadways providing access to and located within 800 feet of the infill development) and,
 - Access spacing, which has been certified by the applicant's traffic engineer to have no identifiable safety hazard.

2. Stormwater and erosion control:

Infill projects that create less than 5,000 s.f. of new impervious surface are exempt from the stormwater requirements. If downstream conveyance is proposed, however, a downstream conveyance and disposal report must be submitted for review. The director may approve use of alternative water quantity and/or water quality treatment devices for infill development if evidence is provided from the applicant that water quality, water quantity control, and maintainability are not affected.

Note: Infill developments are ineligible to use the Density Transfer provisions under Clark County Development Code (CCC) Section 40.220.010(C)(5).

Tier 1 incentives and requirements:

- 1. Parcel area averaging with minimum lot sizes for single-family as follows:
 - R1-5 = 4,000s.f.
 - R1-6 = 4,500s.f.
 - R1-7.5 = 6,000s.f.
 - However, the overall density and parcel size of the zoning district (e.g., 5,000 s.f. in the R1-5 zone) must still be met.
- 2. No minimum parcel width or depth;
- 3. Reduced setbacks:
 - Minimum Front Setback: 18 feet for garage or carport and 10 feet for all other structures;
 - Minimum Side Setback: Where vehicular access is through side setback, 18 feet; other uses same as zoning district.
 - Minimum Rear Setback: Where vehicular access is through a rear setback, 18 feet for garage or carport, and all other uses shall comply with rear setback of the zone.

Tier 2 incentives and requirements:

- 1. Parcel area averaging with minimum lot sizes and maximum densities for detached single-family as follows:
 - R1-5 = 4,000s.f./10.9 dwelling units/acre
 - R1-6 = 4,500s.f./9.7 dwelling units/acre
 - R1-7 = 6,000 s.f./7.3 dwelling units/acre
- 2. Maximum Lot Coverage Increased to 60%
- 3. Reduced setbacks:
 - Minimum Front Setback: 18 feet for garage or carport and 10 feet for all other structures;
 - Minimum Side Setback: Where vehicular access is through side setback, 18 feet;
 - Minimum Rear Setback: Where vehicular access is through rear setback, 18 feet. Ten feet for all other structures where rear setback of the proposed infill development abuts

parcels with existing single family dwellings, otherwise, all other structures shall comply with rear setback of zone.

4. Additional Type of Dwellings are allowed to include duplexes and attached single family dwellings under the following conditions:

Duplexes:

- Sites of 3 or fewer parcels may have a duplex on 1 lot;
- Sites of more than 3 lots may have duplexes on a maximum of 1/3 of parcels; and,
- Minimum lot sizes for duplexes are as follows:
 - ightharpoonup R1-5 = 6.000s.f.
 - ightharpoonup R1-6 = 8.000s.f.
 - Arr R1-7.5 = 10,000s.f.
- Smallest parcel area shall be no smaller than the minimum lot size for duplexes listed above.

Attached Single-Family Dwellings:

- Maximum of 4 consecutively attached units;
- Submission of an infill development plan (IDP)
- Minimum/maximum averaging of parcel sizes allowed for attached single family lots if smallest parcel area is no smaller than:
 - Arr R1-5 = 3,000s.f.
 - Arr R1-6 = 4,000s.f.
 - Arr R1-7.5 = 5,000s.f.

(Note: Minimum parcel sizes may not be reduced through a variance procedure)

- 5. Alley access for single-family attached dwellings (4 or more) must have its primary vehicle access from a rear alley if a public alley exits within or adjacent to the land division.
- 6. Pedestrian pathways shall be provided between building breaks in attached single-family infill projects to provide pedestrian connectivity.
- 7. A Home Owner's Association or other legal entity shall maintain common areas.
- 8. Duplexes and attached single-family attached units shall utilize at least 4 of the following design features:
 - (a) dormers
 - (b) recessed entries
 - (c) cupolas
 - (d) bay or bow windows
 - (e) attached garage
 - (f) window shutters
 - (g) a roof with a pitch greater than nominal 8:12
 - (h) off-sets on building face or roof (minimum 12")
 - (i) gables
 - (j) covered porch or entry with pillars or posts
 - (k) eaves (minimum 6")
 - (I) tile or shake roof
 - (m)horizontal lap, shingle, shake, brick or stone masonry siding. Lap siding, shingles, and shakes shall be exposed a maximum of 6 inches to the weather. Brick, or stone masonry when used as a veneer material must be at least 2 ½ inches thick.

- (n) garage set at least 10 feet behind the front face of the primary dwelling unit.
- (o) exterior window trim that is a minimum of 4 inches in width.
- (p) other design features which reflect the architectural character of residences within 500 feet of the proposed development.

Tier 1 & 2 Standards and Incentives Summary Table

Zone	Tier 1	<u>Tier 2</u>
R1-5 Single-family detached	 Min./max. av. parcel area = 5,000*/7,000 sf Min. parcel area = 4,000 sf Min. – max. density = 6.2 – 8.7 units/acre 	 Min./.max av. parcel area =5,000*/7,000 sf Min. parcel area = 4,000 sf Max. density = 10.9 units/acre
R1-5 Single-family attached	Not allowed	 Min. av. parcel area = 3,000 sf Min. parcel area for duplexes = 6,000 sf
R1-6 Single-family detached	 Min/max. av. parcel area = 6,000*/8,500 sf Min. parcel area = 4,500 sf Min max density = 5.1 - 7.3 units/acre 	 Min./.max av. parcel area = 6,000*/8,500 sf Min. av. per duplex unit = 4,000 sf Min. parcel area = 4,500 sf Max. density = 9.7 units/acre
R1-6 Single-family attached	Not allowed	 Min. av. parcel area = 4,000 sf Min. parcel area for duplexes = 8,000 sf
R1-7.5 Single- family <u>detached</u>	 Min/max. av. parcel area = None/10,500 sf Min. parcel area = 6,000 sf Min. – max. density = 4.1 - 5.8 units/acre 	 Min. parcel area = 6,000 sf Max. av .parcel area = 10,500 sf Max. density = 7.3 units/acre
R1-7.5 Single- family <u>attached</u>	Not allowed	 Min. av. parcel area = 5,000 sf Min. parcel area for duplexes = 10,000 sf
Min. lot width/depth	None	• None
Front yard setback	Garage =18 ftHouse = 10 ft	Garage =18 ftHouse = 10 ft
Min. side yard setback	 Garage =18 ft House interior side = 5 ft House street side =10 ft 	 Garage =18 ft House interior side = 0 ft House street side =10
Min. rear yard setback	Garage = 18 ftHouse = 5 ft	Garage = 18 ftHouse = 5 ft
Max. lot coverage	• 50%	60% and 70% via Type II review
Density Transfers	Not allowed	Not allowed

Dwelling Types Allowed	Single-family detached	•	< 3 parcels = Max. I duplex on 1 parcel >3 parcels = duplexes on 1/3 of parcels Max. 4 consecutively attach units
Roadway Standards	 Public or private roadway serving up to 8 parcels = 20 feet wide with min. 25-foot easement. Parking is not allowed. Private roadway used to serve a maximum of four 4 lots and up to a max. length of 150 ft = 12 ft wide/with min. 20 ft private easement. Parking is not allowed. Road modifications considered (without fees) for the following: Partial or full frontage improvements, if consistent with existing or anticipated neighborhood roadways (i.e., non-arterial and non-collector roadways providing access to and located within 800 feet of the infill development) and, Access spacing if there is no identifiable safety hazard. 	•	Same as Tier I
Neighborhood meeting	Not required	•	Required

^{*} These figures were included in the original ordinance, but have been inadvertently excluded in the codifying of the current Clark County Unified Development Code.

What is the infill application and review process?

Applications for infill developments must be submitted in conjunction with the associated land division application (see Information handouts #38 Short Plat or #39 Subdivision for review process). For Tier 2, single family attached infill development, an "Infill Development Plan" must be submitted (see attached "Infill Submittal Requirements" list).

Infill development applications submitted with a land division require a pre-application conference. The requirement for a conference may <u>not</u> be waived. At least 15 days prior to the pre-application conference, public notice of the conference is sent to:

- Applicant,
- Neighborhood association; and,
- Residents and property owners within 300 feet of the project site.

Unlike other pre-application conferences where the public is allowed to attend but not comment, public comments may be presented during a specified public comment period when infill developments are proposed.

For Tier 2 infill projects, the applicant must hold a public meeting to offer affected property owners the opportunity to participate in the development design process. A pre-application conference is

not a substitute for the neighborhood meeting. The applicant must meet the following neighborhood meeting guidelines:

- Neighborhood meeting must be held no earlier than 90 days prior to submittal of the infill application;
- Notice of the meeting (to include date, time and place, and brief description of proposed development)) must be sent at least 15 days prior to the meeting to:
 - County-recognized neighborhood association representative of the area;
 - Residents and property owners within 500 feet of the project site; and,
 - Clark County Community Development designee.

Decisions on infill short plat applications are made administratively within 78 days of the application being determined fully complete. Decisions on infill subdivision applications are made by a Hearing Examiner, and require that a public hearing be held. The hearing is held within 78 days and a decision normally issued within 92 days of the application being determined fully complete.

What if the applicant didn't submit all of the required information?

The County conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting the application, the Customer Service staff will conduct a "Counter Complete" review of the submittal package. This initial review ensures that all items with a bold underlined space listed within the subdivision submittal requirements have been submitted before accepting your application (see attached submittal list). These include:

- 1. Letters of Certification
- 2. Copy of Neighborhood Meeting Summary
- 3. Proposed Infill Development Plan (only for attached single family development in Tier 2)
- 4. Submittal Copies
 - Once the application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the "Fully Complete" review. This more detailed review ensures that all items with a box to the left listed under the numbered headings of the attached "Infill Submittal Requirements," have been submitted. As an example, does the "Proposed InfIll Plan" show: "Layout of proposed structures including square feet;" and "Architectural drawings and sketches indicating floor plan, elevations, types of materials and colors, and type of construction per the Uniform Building Code," etc.?

If required items are missing from the original submittal, the applicant will receive a letter of "Not Fully Complete," with a list of the missing items. If the applicant has not submitted the requested information within 30 days of this written request, staff will return the application and refund the application fee, less the processing costs incurred to date.

If <u>all</u> of the submittal requirements have been met, the applicant will be directed to submit five (5) additional copies that contain the revisions and additional information that may have been required to be Fully Complete. Once all Fully Complete copies have been received, the applicant will receive a "Fully Complete" determination letter and be vested on the date the Fully Complete application was submitted.

What is Vesting?

Upon a determination of Fully Complete, the application is vested with the development regulations that are in place at the time the fully complete application was submitted.

Examples:

- 1) An application is submitted on June 1st and determined to be "Fully Complete" on June 25th. The application is vested as of June 1st.
- 2) An application is submitted on June 1st and subsequently determined to be "<u>Not</u> Fully Complete" on June 25th. In response, the applicant submits additional information on July 8th. The revised application is subsequently determined to be "Fully Complete" on July 18th (Note: the completeness decision will be made within 14 calendar days of new submittals). The application is vested as of July 8th, the day the fully complete application was submitted.

To be vested on the date a pre-application is filed (i.e., contingently vested), the following conditions must be met:

- All the required pre-application conference information was submitted on the pre-application submittal date (Note: the Pre-Application Conference Report will indicate whether the application is contingently vested); and,
- 2) A fully complete application for substantially the same proposal was filed within 180 calendar days of the date the County issued the Pre-Application Conference Report.

What kind of public notice is provided?

In additions to the pre-application conference and neighborhood meeting notice requirements, the infill short plat (Type II Review) and infill subdivision (Type III Review) also have public notice provisions. Within 15 calendar days of a fully complete determination, notice of the application is mailed to:

- Property owners within a 300' radius of the project site, and
- Applicant.

For Type III reviews (that require a public hearing to be held), at least 15 calendar days prior to the public hearing date, a notice including the date, time and place of the hearing and a description of the proposal will be:

- Posted at the site,
- Published in the newspaper,
- Mailed to property owners within a 300' radius (if within an urban growth boundary), or a 500' radius (if outside an urban growth boundary) of the project site, and
- Mailed to the applicant.

The notice will invite interested parties to present testimony at the hearing either orally or in writing.

What is a SEPA determination?

The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts of the proposed subdivision be conducted. County staff and interested agencies will review the subdivision application to determine its compliance with applicable Federal, State and County Code. Through this process a determination will be made as to whether the impacts will be considered non-significance (DNS), mitigated non-significance (MDNS), or significance (DS). For a DNS or MDNS determination, an analysis will be incorporated within the Staff Report referenced below. If a DS determination is made, the applicant is required to prepare an

Environmental Impact Statement (EIS) prior to the County considering the proposed subdivision. The SEPA determination is published in the Columbian Newspaper.

What is a Staff Report?

Staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Unified Development Code (UDC). In this report, staff will make a decision (Type II review) or recommendation (Type III review) to approve, approve with conditions or deny the application. For Type II reviews, this written report/decision will be mailed to the applicant and any parties of record within 78 days of the fully complete date. For Type III reviews, this written report/recommendation will be mailed to the applicant at least 14 calendar days prior to the scheduled public hearing on this matter.

What happens at the public hearing and when do I get to speak?

First, the applicant or their representative will be asked to present an overview of the proposed project to the audience, including those viewing the hearing over CVTV cable access television. The applicant will next give a detailed description of the project and design considerations, showing the site plan and other drawings by either utilizing the overhead projector or making pre-meeting arrangements to use the Power Point projector.

Once the overview is completed, the applicant may next raise issues regarding the staff report and recommendations. This is also the time for the applicant to address issues that they believe may be brought up during the public testimony portion of the hearing, and/or issues they believe the Hearings Examiner may raise.

Once the applicant has completed their presentation, county staff will present an overview of their analysis, findings and recommendation as to whether the application meets or exceeds the approval criteria.

Following the staff presentation, the hearing will be open to the general public for their testimony.

Once all the public testimony has been presented, the applicant will have the opportunity to provide rebuttal testimony.

The Hearing Examiner will next close the public hearing.

When will a decision be made on the application?

As noted above, a Type II review decision will be issued within 78 days of the fully complete date. For Type II reviews, the Hearing Examiner will issue a written decision regarding the application within 14 calendar days after the date the record closes. Within 7 calendar days of its issuance, the decision will be mailed to the applicant, other parties of record (i.e., someone who presented written or verbal testimony, or signed the hearing sign-in sheet on the specific application) and the neighborhood associations.

Can the decision be appealed?

A Type II decision may be appealed to the Hearing Examiner and a Type III decision (i.e., decision by the Hearing Examiner) may be appealed to the Board of County Commissioners by the applicant or a party of record. An appellant must submit an appeal application and appeal fee (Type II appeal fee = \$1070; Type III appeal fee = \$279) within 14 calendar days after the decision is mailed.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code 40.260.110

Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810

Phone: (360) 397-2375; Fax: (360) 397-2011

Web Page at: http://www.clark.wa.gov

DEVELOPMENT REVIEW TIER 2 INFILL SINGLE FAMILY ATTACHED DEVELOPMENT APPLICATION SUBMITTAL REQUIREMENTS

The following checklist identifies information to be included with the Application. <u>All</u> items with a bold underlined space (i.e., ___) must be submitted before the application will be considered "**Counter Complete**." <u>All</u> items with a box to the left must be submitted before the application will be determined "**Fully Complete**." All bulleted items must be submitted, as applicable, but are not a "Fully Complete" requirement. (**Note: The Pre-Application Conference Report will indicate any additional/exempted submittal requirements).**

At the time of application, only **one copy of the <u>main submittal</u>** with original signatures, **shall be submitted and bound by a jumbo clip or rubber band.** One copy of any <u>special studies (e.g., wetland, floodplain, etc)</u> shall also be submitted but bound separately.

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

1. LETTERS OF CERTIFICATION

Letters of certification for the following:

- □ Notice of neighborhood meeting and mailing list of residents and land owners within 300 feet of the development site; and,
- Mailing of neighborhood meeting summary.

2. __ COPY OF NEIGHBORHOOD MEETING SUMMARY

3. __ PROPOSED INFILL DEVELOPMENT PLAN – For attached single family developments only.

<u>In addition to any associated land division or site plan</u>, the following shall be provided on the Infill Development Plan for development of attached single family homes:

Land Use and Transportation

- □ Layout of proposed structures including square feet;
- Architectural drawings and sketches indicating floor plan, elevations, types of materials and colors, and type of construction per the Uniform Building Code;
- □ Location, dimensions and number of off-street parking and loading areas; and,
- Location and dimensions of recyclable and solid waste storage areas.

Stormwater

Downstream Conveyance and Disposal Report, if applicable

Landscaping

Landscape plan for urban area arterial and collector roadways and on site landscaped areas to include:

- Location, number, species, size at planting, and spacing of proposed plant material;
- Location, number, species and size of existing landscape material to be removed and/or retained;
- Location, type (such as sod, groundcover or shrub mass) and area (in terms of square fee and percentage of site) of all soft landscaped areas and buffers;
- Location, height and materials of fences, buffers, berms, walls and other methods of screening;
- Surface water management features integrated with landscape, recreation or open space areas;
- Location, size and construction type of hard landscaping features such as pedestrian plazas; and,
- Active and passive recreational or open space features.

4. SUBMITTAL COPIES:

One copy of the	ne <u>main</u>	<u>submittal,</u>	bound by	a jumbo	clip c	or rubber	band,	with	original
signatures; ai	nd,								
 One copy of an	ny specia	al studies ((e.g., wetla	nd, flood	plain,	etc) and	bound	sepa	rately.

When all required information is submitted with the original application, the applicant will be directed to submit five (5) additional individually bound copies of the <u>main submittal</u>, including copies of the "Developer's GIS Packet". The applicant will also be directed to submit additional <u>individually bound copies of any special studies</u> as identified below. These copies must contain any revisions or additional information required in the Fully Complete review, and bound using jumbo clips, stapled, comb or spiral binding, etc.

Copies of any special studies (as identified within the "Pre-Application Report") as following:

- □ 1 original Archeological Pre-Determination Report
- □ 1 original Archeological Study
- □ 1 original and 3 copies Traffic Study and Road Modification requests
- 1 original and 2 copies of all other special studies or permits to include: Critical Aquifer Recharge Areas (CARA) floodplain, geo-hazard, habitat, shoreline, stormwater, erosion control plan, and wetland).
- □ 2 reduced copies of 11" x 17" for all sheets larger than 11" x 17."

Staf	ff Notes:
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This application was determined to be Counter Complete on:/	
Community Development Specialist:	

INFILL PLAN REVIEW FEE SCHEDULE

TIER I \$0

<u>TIER 2</u> \$0

DOWNSTREAM CONVEYANCE

AND DISPOSAL REPORT REVIEW \$414.50

DEVELOPMENT REVIEW APPLICATION FORM





PROJECT NAME:				
TYPE(S) OF APPLICATION (See Rev	verse Side):			
DESCRIPTION OF PROPOSAL:				
APPLICANT NAME:		Address:		
/		Address.		
E-mail Address:		Phone and Fax:		
PROPERTY OWNER NAME (list museparate sheet):	ltiple owners on a	Address:		
E-mail Address:		Phone and Fax:		
CONTACT PERSON NAME (list if not same as APPLICANT):		Address:		
E-mail Address:		Phone and Fax:		
PROJECT SITE INFORMATION: Site Address:		Comp Plan Designation:		
Cross Street:	Zoning:		Serial #'s of Parcels:	
Overlay Zones:	Legal:		Acreage of Original Parcels:	
Township:	Range:		1/4 of Section:	
			with the consent of the lawful property plete and correct. False statements,	

errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the County to enter the properties listed above.

Authorized Signature	Date

Assigned at Customer	CASE NUMBER:	
Service Center	WORK ORDER NUMBER:	

APPLICATION TYPES
If you have any questions regarding the type of application being requested, our Customer Service Center will be happy to assist you.

	Annual Review	Mis	scellaneous:
	Appeal		Addressing
	Boundary Line Adjustment and		Accessory Dwelling
	Lot Reconfiguration		Covenant Release
	Conditional Use		Garden Shed Setback Waiver
			Home Occupation
<u>Envi</u>	ronmental/Critical Areas:		Legal Lot Determination & Innocent
	Archaeological		Purchasers Determination
	Critical Aquifer Recharge Area		Non-Conforming Use Determination
	(CARA)		Reconstruct Letter
	Columbia River Gorge		Sewer Waiver
	Forestry + (Moratorium Waiver,		Shooting Range
	Moratorium Removal, Class I,		Sign
	Class IVG or COHP)		
	Floodplain	Pla	anning Director Review:
	Geological		Post Decision
	Habitat		Pre-Application Conference
	Historic		Pre-Application Waiver
	SEPA		Public Interest Exception
	Shoreline		Similar Use
	Wetland		Temporary Use
			Other
<u>La</u>	nd Division:		
	Binding Site Plan		
	Final Plat		Planned Unit Develop/Master Plan
	Plat Alteration		Road Modification
	Short Plat (Infill)		Site Plan
	Subdivision (Infill)		Variance
			Zone Change